

BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR)
HUMAN RIGHTS, PAULA M.)
HALEY, EXECUTIVE DIRECTOR,)
ex rel. BABETTE KRAMP,)

Complainant,)

v.)

ASCHR No.J-09-278

STATE OF ALASKA, DEPT. OF)
TRANSPORTATION AND PUBLIC)
FACILITIES, HIGHWAYS AND)
PUBLIC FACILITIES,)

Respondent.)

ACCUSATION

Paula M. Haley, Executive Director of the Alaska State Commission for Human Rights, *ex rel.* Babette Kramp, hereby alleges the following against Respondent State of Alaska, Department of Transportation and Public Facilities, Highways and Public Facilities (hereinafter DOT&PF):

1. Respondent DPT&PF employed Babette Kramp as a seasonal equipment operator from January to December 2009.

2. During her 2009 employment with Respondent, Ms. Kramp first worked until approximately April 15 on a snow removal crew. Ms. Kramp thereafter worked on a summer bridge crew, until October, and again returned to the snow removal crew in November until her resignation in December.

3. Ms. Kramp was the only female employee on the summer bridge crew.

4. During her employment on Respondent's bridge crew, George Hamrick, Respondent's bridge crew supervisor, subjected Ms. Kramp to ridicule and derogatory comments because of her sex. At one point Mr. Hamrick told Ms. Kramp that she should not be on the crew and should instead be at home raising her child where she belonged.

5. At another point, Mr. Hamrick sought Ms. Kramp's removal from the bridge crew. Steve Banse, the bridge crew foreman, refused to remove Ms. Kramp from the crew because she had done nothing to warrant removal.

6. Ms. Kramp complained about Mr. Hamrick's treatment of her. Thereafter, Respondent's station foreman, Ed Caress, offered to transfer Ms. Kramp to another crew, but Ms. Kramp declined.

7. Respondent took no further action in response to Ms. Kramp's complaints.

8. In November 2009, Ms. Kramp received permission from her supervisor, Kurt Koehler, to use a spare snow removal machine because the machine that had been assigned to her was not working properly.

9. One of Ms. Kramp's male coworkers complained about Ms. Kramp's use of the machine because he believed it had been assigned to him.

10. After her coworker complained, Ms. Kramp was reprimanded for using the machine by Mr. Caress, despite the fact that Ms. Kramp's supervisor had given her permission to use it.

**FIRST CAUSE OF ACTION—DIFFERENT TERMS AND CONDITIONS
BECAUSE OF SEX
A VIOLATION OF AS 18.80.220(a)(1)**

11. Paragraphs 1-10 above are realleged and incorporated herein.
ACCUSATION—Page 2
ASCHR, Paula M. Haley, Executive Director, ex rel. Babette Kramp v. State of Alaska, Dept. of Transportation & Public Facilities, ASCHR No. J-09-278

12. Ms. Kramp's supervisor, George Hamrick, made derogatory comments to Ms. Kramp and tried to have her removed from the bridge crew because of her sex.

13. Mr. Hamrick's treatment of Ms. Kramp constituted terms and conditions of employment that were different than those for male employees.

14. Mr. Kramp complained about the treatment, but no adequate action was taken in response.

15. Ms. Kramp was reprimanded by Ed Caress for using a snow removal machine, an action that her immediate supervisor had approved.

16. Mr. Caress's reprimand of Ms. Kramp constituted different terms and conditions because of her sex.

17. Respondent's subjecting Ms. Kramp to different terms and conditions because of her sex constitutes a violation of AS 18.80.220(a)(1).

PRAYER FOR RELIEF

Wherefore the Executive Director asks for the following relief:

1. That the Commission issue an order declaring that Respondent DOT&PF violated AS 18.80.220 by discriminating against Ms. Kramp by subjecting her to different terms and conditions of employment because of her sex.

2. That the Commission order Respondent to adopt and disseminate a policy of nondiscrimination under the Alaska Human Rights Law that includes a policy prohibiting discrimination against employees on the basis of sex, and a policy prohibiting retaliation for complaining about discrimination.

1 3. That the Commission order Respondent to obtain training of at least four
2 hours in length for its managers and supervisors on the provisions of the Alaska Human
3 Rights Law that prohibit discrimination in employment.
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5 4. That the Commission order Respondent to eliminate from Ms. Kramp's
6 personnel records all documents and entries relating to the facts and circumstances that
7 led to Ms. Kramp's filing of the above-captioned charge of discrimination.
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9 5. That the Commission order Respondent to refrain from penalizing Ms.
10 Kramp in any way in future considerations for employment and, if rehired, for transfers,
11 promotions, or upgrading because Ms. Kramp complained about discrimination or
12 because she filed a complaint with the Commission.
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14 6. That the Commission order Respondent to refrain from advising or
15 informing any other employer or potential employer of Ms. Kramp of the facts or
16 circumstances involved in this case.
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19 Dated this 9th day of April 2012 at Anchorage, Alaska.
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21 ALASKA STATE COMMISSION
22 FOR HUMAN RIGHTS
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24 By: /s/_____
25 Stephen Koteff
26 Human Rights Advocate
27 Alaska Bar No. 9407070
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